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## Montgomery County, Maryland

### Analysis of Impediments to Fair Housing Choice

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**ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE  
MONTGOMERY COUNTY, MARYLAND  
APRIL 2007**

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## I. Introduction and Executive Summary

### Authority, Scope and Methods

This Analysis of Impediments to Fair Housing Choice examines whether all residents or potential residents of Montgomery County share equal access to housing under the federal Fair Housing Act of 1968 and the Fair Housing Amendments Act of 1988, regardless of their race, color, religion, sex, national origin, disability or familial status.

Montgomery County is an entitlement community - a local government that receives an annual allocation federal funding through the U.S. Department of Housing and Urban Development (HUD) to create and preserve affordable housing. HUD requires that each entitlement community review public and private policies and practices to promote fair housing choice and to address any impediments to fair housing discovered through this review. Montgomery County will affirmatively further fair housing by conducting an Analysis of Impediments to fair housing choice within its jurisdiction, take appropriate actions to overcome the effects of any impediments identified through this Analysis and maintain records reflecting the Analysis and related actions.

Impediments to fair housing choice, as defined by HUD, include:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices; and
- Any actions, omissions, or decisions that have the *effect* of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status or national origin.

The scope of this Analysis will be to identify broadly any existing impediments as defined above within Montgomery County so that the County may make every effort to address them.

The County's Department of Housing and Community Affairs (DHCA) has compiled this report with the collaboration of the County Office of Human Rights, and the members of the Interagency Fair Housing Coordinating Group (IFHCG), which is comprised of representatives from multiple public agencies, non-profit organizations and the private sector (see Attachment A, Montgomery County Interagency Fair Housing Coordinating Group Membership List, 2007). The most up-to-date demographic information has been obtained from the U.S. Census Bureau, the Metropolitan Washington Council of Governments and the Maryland National Capital Park and Planning Commission (M - NCPPC), as well as from within DHCA.

## Executive Summary

This report identifies six impediments to fair housing choice:

Lack of currently available affordable housing

Lack of available, especially affordable, housing for residents with a disability

Difficulty siting affordable housing, particularly special needs and group housing

Unfair lending practices

Lack of general awareness concerning fair housing issues among residents and professionals in Montgomery County

Shortage of comprehensive testing and study information on the fair housing environment in Montgomery County

The first three impediments may be seen as overlapping and support the ongoing need in Montgomery County to preserve and expand the supply of rental, ownership and special needs housing that is affordable to Montgomery County residents for whom housing is currently unavailable and/or unaffordable.

Underlying all of the impediments identified, Montgomery County's increasing diversity has also created new challenges to ensuring fair access to housing choices among residents with limited English proficiency, who may be less likely to complain about or even recognize discriminatory housing practices. Additional concerns continue to be raised regarding equitable treatment of and fair housing for people with disabilities and for families with children.

The scope of this Analysis is not intended as a detailed compilation of every impediment to fair housing choice nor a compilation of all recommended actions; rather, it is an effort to highlight key areas that are the focus of ongoing, priority attention.

In addition to its commitment to further federal fair housing goals, Montgomery County's Code (Chapter 27) also makes it illegal to discriminate in the sale or rental of housing within the County based on marital status, source of income, sexual orientation, age, presence of children or ancestry. The County will continue to make every effort to ensure compliance with these goals as well as to educate residents about and address fair housing issues, so that Montgomery County remains a place where all feel welcome and can call home.

## II. Overview of Montgomery County

### Population

During the 1970s and 1980s, Montgomery County grew from a Washington suburb into the region's second largest employment center. More than 60 % of the County's residents work in the County: one-fifth are government workers and 57% work in management, professional and related occupations. Montgomery County's biotech community ranks third largest in the nation.

Economically, Montgomery County residents fared better than the Washington Metro region's 2003 average of \$44,757 per capita income. At \$52,854 per capita in 2003, Montgomery County ranked fourth out of twelve local jurisdictions, surpassed only by Arlington County, the City of Alexandria and Fairfax County. The County's 3.1% unemployment rate in 2004 was also lower than the metro area's average 3.7%. County residents were better educated than average with 55% of County adults holding at least a Bachelor's Degree, compared to 45 % in the region. However, whites and Asians have higher numbers of college graduates (near 60% of their populations) than blacks and people of Hispanic heritage (near 40% and 22%, respectively). In addition, 39% of the Hispanic population has less than a high school education, compared to much lower portions of the other population groups. Strong employment growth of 41% by 2030 is projected to be slightly lower than the region's average 49%.

Montgomery County Public Schools are among the top rated in the nation for academic scores and graduation rates while including students from more than 163 countries. Montgomery County's public libraries have been ranked in the top 10 among the nation's public libraries. Montgomery County's high quality of life also offers multiple arts and cultural centers including such well known facilities as the American Film Institute, Strathmore Hall, Round House Theater, Olney Theatre Center and numerous others.

In addition, by 2004 the County had achieved protection of 47 % or 148,000 out of 318,000 acres of land as "Forever Green" open space. This land includes National, State and Maryland-National Capital Park and Planning Commission parkland as well as agriculturally zoned land, homeowner association common open space and other conservation land. Of this, land in agricultural use comprises 29 %, or 93,000 acres, of Montgomery County

Montgomery County is the most populous jurisdiction in the State of Maryland with projections that the County will reach a population of one million by 2010 (See Attachment B, Population Demographics Maps and Charts). In 2005 Montgomery County accounted for 16.6% of Maryland's population while occupying 5.1% of its land. Currently, Montgomery County is the second most populous jurisdiction in the Washington area after Fairfax County, Virginia, and with a 2006 population of 947,000, comprises one-fifth of the Washington region's almost 5 million people.

The U.S. Census bureau estimates that between 2000 and 2003 the County also netted 33,868 new immigrants, indicating a continuing need for outreach and education to facilitate acculturation, especially for those with limited English proficiency.

Overall, racial and ethnic diversity continued to increase in Montgomery County over the last decade with minority groups accounting for 125% of the County's population growth during that time, bringing minorities from only 27.6% of the population in 1990 up to 40.5% in 2000. This increase is especially evident in the southeastern portion of the County, which accounted for almost half of the whole County's minority growth.

African Americans (15.1% of the County's population) tended to concentrate in the eastern part of the County and in the central Rockville/Gaithersburg area, while Hispanics (11.5%) were more narrowly concentrated in the southeastern area near Silver Spring, as well as in Wheaton and Gaithersburg. Meanwhile, Asians (11.3%) generally resided more broadly across southern and central Montgomery County. Whites (64.8%) tended to locate in the southwestern part of the County and in the out-lying areas.

In addition, for the first time, the 2000 census gave residents the option to mark whether they were of two or more races – 3.5% in Montgomery County, or more than 30,000 people, identified themselves as such.

Increasingly, Montgomery County residents are not only racially more diverse, but are also more likely to be foreign born. In 2000, 26.7% of Montgomery County residents were born in another country compared to 19% for the region and 11.1% nationally. In 1970 only 6.9% were foreign born. In 2000, 32% of the County's overall population spoke a language other than English at home. Of the foreign-born, 38% originated in Asia and 35% in Latin America. Within the state of Maryland, almost half of all foreign born persons lived in Montgomery County (45%). Prince Georges County is a distant second with 21% of Maryland's foreign born.

As the number of total residents, minorities and immigrants grew, the white population fell by 2.6% or almost 15,000 people between 1990 and 2000, by which time whites made up 64.8% of the overall population. Census update figures for 2005 show this trend continuing – with whites dropping to 64%, blacks reaching 16.6% and Asians 13.4% of Montgomery County residents. Hispanic or Latino residents of whatever race had climbed to 13.9% in the 2005 estimate.

Within Montgomery County's growing economy, minorities living here in 2002 continued to earn less than the annual median household income of \$79,115. Asian median household income reached \$78,180, and Hispanic and black households, respectively, earned median amounts of \$50,790 and \$55,287. Meanwhile, whites earned a median household income of \$84,501.

Hispanic families tended to be larger, with 32.1% of them including 5 or more members, compared to 16.5% of Asian families, 12.4% of black families and only 7.8% of white families. Hispanic families had the highest family rate below poverty at 8.9%. Blacks, Asians and whites compared with 7.8%, 4.7% and 1.7% respectively.

Nearly 45,000 Montgomery County residents in 2000 could not easily communicate in English. Almost half of them were Spanish speakers, and 25% of the Hispanic population fell into this category. Fifteen percent of Asians also could not speak English “well” or “at all,” with the largest groups coming from China, India and Korea.

Children under 18 made up 24.8% of the population in 2005 census estimates while those over 65 comprised 11.6%. The percentage of Montgomery County residents who are over 65 continues to grow. About one third of those over 65 are disabled, as are 12% of people between 21 and 64 years of age.

Disabled residents are clearly represented within the population of Montgomery County. These residents include mobility impaired individuals, persons with psychiatric and developmental disabilities, and blind and deaf residents. In 2006, more than 7,000 residents received mental health services through the Maryland Public Mental Health System for psychiatric conditions. Additionally, 675 adults reside in supervised/subsidized housing units in single family communities and in multi-family rental apartments.

In summary, the residents of Montgomery County are becoming more numerous, with recent population growth attributed in large part to immigration. Differences in family size, income, English language proficiency, educational attainment, racial and ethnic identity, religion and cultural heritage are attributes of an increasingly diverse County, creating a multiplicity of opportunities and challenges to affirmatively furthering fair housing choice. In addition, persons with mobility impairments and other disabilities may also face added housing-related challenges.

## Housing

The lack of affordable housing to meet demand is of particular concern with regard to fair housing in Montgomery County because local housing costs are some of the highest in the nation, and the County’s lower income population is disproportionately comprised of protected classes – racial and ethnic minorities, large families and people with disabilities.

The recent strong economy, coupled with low mortgage interest rates and aided by the County’s inclusionary zoning regulations and assistance programs, contributed to a rise in homeownership in Montgomery County from 71.2 % in 1997 to 77.3 % in 2003. Of the County’s 338,445 households in 2003, 7 out of 9 live in owner occupied units, the remaining 22.7 %, renters. Since 1997 there has been a significant increase in ownership among all racial groups in the County and in the nation since 1997. In Montgomery County, the greatest change is found among African American households, jumping from 43.3 % home ownership in 1997 to 52.8 % in 2003.

By 2005, the median sales price for all types of single-family housing (attached, detached, new and existing) had reached \$440,000, and a new single-family detached house had climbed to a median cost of \$759,933.

Rental rates, likewise, have gone up from a 2001 average monthly rent of \$1,030 to the 2006 average of \$1,212. In addition, in 2001, there were 2,596 rental units that cost less than \$700 a month. By 2006, there were just 1,933 rental units under \$800 a month in the County.

Even though overall incomes are rising in Montgomery County, black and Hispanic populations actually experienced, respectively, a four and a six percent drop in median household income between 1996 and 2002. In addition, rents are also becoming less affordable because they are rising faster than overall income. As a result, renters are paying a greater percentage of household income for their housing costs. Using the affordability standard of 30% of income for rent, 10% fewer households were able to afford rent in 2003, than in 1997. Currently, half of all renters are spending more than they can afford, and county renters are still disproportionately comprised of minority groups. Such a situation can lead to more overcrowding, evictions and ultimately homelessness.

Similarly, home ownership is also increasingly less affordable in Montgomery County. Using the 2005 Area Median Income (AMI) of \$89,300 for a family of four in Montgomery County and multiplying that by 2.5, the median affordable home purchase price would be \$223,250 or about half the actual 2005 cost of the median home of any type in the County. Limited available land for new construction and rising construction costs are added challenges.

Even with its strong support for affordable housing, Montgomery County has been unable to keep up with housing demand. The County provides 2.5% of property tax revenue annually to a dedicated housing trust fund and has a nationally acclaimed inclusionary zoning program. This Moderately Priced Dwelling Unit program (MPDU), believed to be the first of its kind in the nation, mandates the inclusion of affordable units in new construction projects, and in 2006 the County expanded support by adopting legislation aimed at increasing the number of “workforce” housing units, those affordable to households earning between 70% and 120 % of area median income.

Still, the waiting list for public housing reached 4,820 and the list for rental assistance (Housing Choice Vouchers) contained 17,855 people at the end of 2006. The MPDU program typically receives 1,400 sales applications each year for 300 available units.

The County’s housing trust fund has contributed towards a variety of rental and for sale housing options in the County including new construction, preservation, rehabilitation and special needs housing. The County also holds a Right of First Refusal on apartments being sold and works with the Housing Opportunities Commission and other non-profits to manage affordable apartments and to preserve affordable units at risk for conversion from rental to condominium.



### **III. Background on Fair Housing in Montgomery County**

#### **County Departments**

The Department of Housing and Community Affairs (DHCA) has long been dedicated to promoting fair housing through various programs. DHCA has advocated and supported the improvement, preservation and increase of affordable housing units throughout the County. The department works toward a fair housing environment through its Landlord-Tenant Affairs services, which offers information on rights and responsibilities, handles complaints and encourages the resolution of disputes.

The County's Office of Consumer Protection (OCP) provides advice and information on predatory lending in general and on discriminatory predatory lending in particular because the primary targets of predatory lending are blacks, Hispanics and elderly women.

The County's DHCA and Department of Health and Human Services (DHHS) also work with interested non-profits as members of the Interagency Housing Work Group to address additional housing issues that may involve protected groups, such as persons with special needs and/or those who are homeless.

#### **Interagency Fair Housing Coordinating Group**

The Montgomery County Interagency Fair Housing Coordinating Group (IFHCG) was established in 1987 by Chapter 27, Section, 27-26B of the Montgomery County Code in order to facilitate and promote the County's efforts to prevent discrimination in housing.

The Coordinating Group holds monthly meetings, convened and supported by the Fair Housing Program at the Office of Human Rights (OHR), to provide an opportunity for members to exchange information and concerns and to act as a sounding board for new ideas to ensure fair housing. The Group advises and advocates for sustained diligence in dealing with local fair housing issues, and its membership is mandated to include multiple local public agencies and commissions with an interest in fair housing issues. IFHCG meetings are open to the public with housing industry and community representatives invited to participate.

Each April during Fair Housing Month, the Group organizes and sponsors an event to highlight awareness. It has held conferences, poster and essay contests for school children and other activities focusing on particular aspects of fair housing such as unfair lending practices. The Group also sponsors training sessions for the real estate industry and for protected minority populations.

## Office of Human Rights (OHR) and Commission on Human Rights (HRC)

OHR promotes equal opportunity and civil rights for all residents within the County. The OHR enforces the County's fair housing law by accepting, investigating and resolving formal complaints of discrimination while also offering mediation and outreach to address human rights issues that arise.

Its Fair Housing Program handles outreach and education targeted to housing. The Program monitors, tests and fields complaints with the goal of ensuring housing choice and fair treatment for all residents.

Originally located in DHCA, the Fair Housing Program and Coordinator position was established in 1987. Later, in 1996, the Fair Housing Program was transferred to the Human Rights Commission (now OHR) in order to strengthen and further align the County's efforts to identify and remedy any discriminatory behavior based on race, color, religion, sex, national origin, disability, familial status, marital status, sexual orientation, presence of children, ancestry, age, source of income and family responsibilities.

### Outreach and Education

OHR works to let residents and housing providers know what fair housing rights and requirements they have under Federal, State and County laws. This multilingual outreach to protected groups and others also includes information on lending practices and on what to do if discrimination is suspected. The objective is for the public to be able to identify possible discrimination and to develop strategies to avoid or remedy these situations.

Educational activities include training for landlords, real estate professionals, property managers, lenders, and other housing professionals, as well as bilingual English-Spanish awareness brochures and training for the general public. Some materials are also published in Chinese, Vietnamese and other languages, if needed, and public service announcements are disseminated through print, radio and television.

The Fair Housing Program organizes one-day events that gather multiple organizations to provide comprehensive information on housing regulations and lending. It also regularly participates in the County's Housing Fair and other events.

A fair housing curriculum has been developed and incorporated into 10th grade social studies classrooms in each Montgomery County high school (see Attachment C, Unit 10.7 - The Public Policy Debate). There is an annual fair housing Poster Contest, and in observance of National Fair Housing Month in April, the County sponsors various activities on fair housing issues and conducts an awareness campaign.

## Testing and Complaints

In 1999 the Office of Human Rights developed a comprehensive in-house program to test for discrimination in the rental and sale of housing, in home mortgage financing and in compliance with architectural guidelines with regard to accessibility for people with disabilities.

The testing program measures and documents the quality, quantity, and content of information and services being offered or given to various home seekers by housing providers. The fair housing tests involve, for example, sending a matched pair of testers to the same apartment complex on the same day usually two to three hours apart. The testers are matched by the date housing is needed, type of unit requested, income, gender, marital status and employment history. Detailed comparison of experiences provides information as to whether discrimination may have taken place.

Since 2000, the Fair Housing Program at OHR has conducted over 400 rental tests in Montgomery County, most of which tested race, followed in number by national origin, familial status and source of income (protected under Maryland State law). Between 2003 and 2006, 144 tests conducted at various locations in Montgomery County showed no evidence of discrimination. Future testing is currently planned for race, national origin and familial status. As fair housing for people with disabilities is becoming of greater concern, OHR is also working to organize such specialty testing.

The Compliance Section at the Office of Human Rights receives, investigates and resolves formal complaints of discrimination. Complaints received at OHR have tended to be based mostly on source of income, race and disability, indicating race is still an issue in fair housing and perhaps also showing that the population affected by racial discrimination is more aware of their rights to fair housing and understands the complaints process more than other protected groups. 'Source of Income' is protected under Montgomery County law and refers mainly to those using Housing Choice Vouchers.

## Unfair Lending

The Office of Human Rights has also focused on unfair lending practices in Montgomery County as part of its fair housing agenda. Institutional mortgage lending habits, whether intentionally discriminatory or just in effect causing discrepancies in availability and terms of loans, are an essential component when looking at fair housing choice for homeownership.

Predatory lending, though it can affect anyone, tends to disproportionately affect those in the protected groups. Identified characteristics of predatory lending included: high and unnecessary closing costs, excessive late fees, prepayment penalties, a payment schedule with a large "balloon" payment, vague loan terms or changing terms, inflated appraisal costs, additional unwanted services like credit life insurance, high loan-to-value ratio, backdated or forged documents, rushed loan closing and multiple refinancing.

In addition, discriminatory predatory lending targets borrowers with exorbitant or abusive terms based on race, color, religion, sex, disability, familial status or national origin. Some of these may occur in the so-called “sub-prime market” and many target those with weak credit histories. Minority applicants may also be disproportionately steered to more expensive FHA loans.

In response to community demand, the Office of Human Rights and the Interagency Fair Housing Coordinating Group sponsored an educational forum in May 2005 on how residents could protect themselves from predatory lending. In addition to discussions about understanding consumer credit and obtaining home mortgages, the experts also shared information on the best ways consumers can protect themselves during refinancing, obtaining home equity lines of credit and with relation to reverse mortgages and foreclosure situations.

In November 2005, the Montgomery County Council approved a predatory lending bill with the intention of combating unfair lending practices that targeted residents for exorbitant or abusive loan terms based on race, national origin, sex, age or other discriminatory categories. Such predatory lending, most often sub-prime loans, has resulted in unfavorable loan terms, excessive fees or interest rates and unfair requirements for people in the protected categories than for whites with the same income. The legislation was intended to expand the categories of lending activities that constitute discriminatory housing practices and raise the maximum potential damages that could be awarded from \$5,000 to \$500,000 for discriminatory predatory lending. In December 2006 a circuit court judge blocked this particular bill, saying the County Council had overstepped its authority. However, the fair lending issue remains current, and Montgomery County is committed to ensuring fair lending as part of its overall commitment to affirmatively furthering fair housing.

### 1997 Analysis of Impediments

Montgomery County’s first Analysis of Impediments to Fair Housing Choice, done in 1997, identified 9 impediments:

1. Lack of Current Information about Housing Discrimination
2. Communities Underserved by Lending Institutions
3. Lack of Performance Monitoring of County Financial Institution
4. Lack of County Guidance on Occupancy Standards
5. Disparate Treatment of Group Homes
6. Opposition to Siting of Affordable Housing

7. Inadequate Outreach to Minority Community
8. Lack of Efforts to Affirmatively Further Fair Housing
9. Lack of Affordable Housing

During the last ten years and as specified in Annual Progress Reports (see Attachment D, Impediment Analysis Progress Report, 2006), Montgomery County has continued and will continue to address these impediments through collecting and disseminating information, passing appropriate legislation, monitoring compliance and furthering affordable housing. OHR also now has an in-house testing program that focuses on areas of concern particular to Montgomery County.

However, while progress has been made, much remains to be done. In 2007 many of the impediments identified in 1997 are still there, and issues like lack of affordable housing and unfair lending practices that affect all residents, still disproportionately affect minority and protected groups. Outreach education and information are continual needs and the lack of accessible housing has become a more prominent problem.

With the increasing diversity of Montgomery County, it is even more important to ensure that fair housing is given appropriate priority as a goal and that any discriminatory practices are identified and addressed promptly.

#### **IV. 2007 Impediments Identified and Recommended Goals**

The 2007 impediments to fair housing have been identified more broadly than those noted in 1997. While 'Disparate treatment of group homes' was addressed in 1997 through a change in the Zoning Code, the siting of special needs housing continues to be challenging. Other efforts to address impediments are on-going, and by their nature, will require continual attention. In particular, obtaining and dispensing information related to fair housing and providing affordable housing will remain key objectives. Ongoing testing and studies focused on fair housing concerns in the County will enable the community to determine and work to address new challenges and changing priorities.

In some cases, previously identified impediments have been folded into a broader heading. For example, 'Inadequate outreach to minority community' and 'Lack of efforts to affirmatively further fair housing' are included under the new 'Lack of general awareness concerning fair housing issues.' Also, 'Communities underserved by lending institutions' and 'Lack of performance monitoring of County financial institution' are both within 'Unfair lending practices' while 'Lack of County guidance in occupancy standards' relates to 'Lack of affordable housing. In 2007, however, 'Lack of available, especially affordable, housing for residents with a disability' has been specifically added to focus attention on this need.

The impediments to fair housing choice that have been identified for Montgomery County in 2007 are, not in any order of relative priority, as follows:

1. Unfair lending practices
2. Lack of general awareness concerning fair housing issues among residents and professionals in Montgomery County
3. Lack of currently available affordable housing
4. Lack of available, especially affordable, housing for residents with a disability
5. Difficulty siting affordable housing, particularly special needs and group housing
6. Shortage of comprehensive testing and study information on the fair housing environment in Montgomery County

##### **1. Unfair lending practices**

Past studies have shown that African American and Hispanic applicants for home mortgages in Montgomery County were disproportionately refused loans or more often encouraged to use more expensive financing than white applicants at similar income levels. OHR is planning a future study to evaluate today's market conditions, given

enhanced education and outreach efforts resultant from previous attention to this issue. In addition, general predatory lending practices disproportionately affect minorities. A separate Office of Consumer Protection also focuses on predatory lending, especially that which takes advantage of limited-English speakers.

## **Recommendations/Goals**

- Provide regular testing and periodic studies to determine the extent and severity of discriminatory lending practices to individual protected groups and generally to racially diverse areas of the County
- Increase outreach and education about predatory lending specifically geared to members of the protected groups, including how to avoid becoming a victim and what to do if it happens; ensure outreach materials and meetings meet multi-lingual needs of the diverse population served
- Provide on-going training for and in conjunction with industry professionals regarding fair lending standards, working cooperatively with industry professionals to encourage conventional lending and expanded alternatives to FHA loans for minority applicants
- Continue to enforce existing laws to protect against unfair lending practices
- Continue to monitor the County financial institution to ensure that it meets a satisfactory or better rating with the Federal Community Reinvestment Act

## **2. Lack of general awareness concerning Fair Housing issues among residents and professionals in Montgomery County**

In spite of Montgomery County's active program to provide a high level of information and service to residents through its Office of Human Rights, the County has a need for on-going education and awareness concerning basic fair housing issues.

There exists a constant influx of new businesses and residents, many from abroad where such issues might not be addressed. In addition, each year new young people enter the housing market. Such changing dynamics, especially considering the higher numbers of minorities now living in the County, require repeated outreach to protected groups and to housing providers both as a preventive measure and as a means of identifying and addressing violations.

Between 2000 and 2003, it is estimated that 33,868 net immigrants moved to Montgomery County. These most recent immigrants, in particular, are often unaware of their fair housing rights. In many cases, they do not speak English well, may be illiterate,

are afraid to complain or do not know where to go if they encounter discrimination. Outreach needs to be in a language and medium that will be able to reach them.

Residents and housing providers may also be more aware of some types of protected groups (like racial minorities) than others (for example, families with children and people with disabilities). Others may not recognize housing discrimination when it occurs or may not know what to do about it.

### **Recommendations/Goals**

- Disseminate regularly and repeatedly, outreach and education materials on fair housing, focusing on minority and protected groups in multiple languages, as necessary, and through various media – print, radio, TV and through community events and social service agencies
- Provide training and general awareness-raising measures in collaboration with industry groups targeted to property managers, real estate agents, mortgage lenders, appraisers, builders, maintenance workers, insurance providers and others in the industry on Fair Housing laws, racial disparities and lending patterns, focusing on how to provide equal housing opportunities and what constitutes discrimination
- Work toward the continuation and expansion of Montgomery County Public School curriculum to promote awareness of fair housing
- Continue periodic events to bolster awareness of and assist residents to obtain affordable housing; provide relevant homeownership counseling and financial literacy training

### **3. Lack of currently available affordable housing**

In spite of multiple, extensive and innovative efforts to support and increase the supply of housing that is affordable to all residents, Montgomery County has been unable to meet the demand. Consistently high population growth rates and a recent upsurge in the housing market have sent sales and rental costs to unheard of levels across the whole region.

### **Recommendations/Goals**

- Expand and increase efforts to comprehensively plan and implement strategies for preserving and increasing affordable and workforce housing in accordance with the County's annual growth policy.



- Increase incentives and requirements for developers regarding inclusion of affordable residential units
- Mandate the inclusion of an affordable housing element, where possible, in all revitalization efforts
- Actively monitor and coordinate fair housing legislation and policy initiatives to sustain progress already made and to address new fair housing issues as identified, especially regarding affordable housing
- Actively support expansion and retention of affordable and accessible housing stock
- Periodically review occupancy standards in relation to their effect on minority and protected residents

#### **4. Lack of available, especially affordable, housing for residents with a disability**

Whether the disability is a physical impairment, a cognitive impairment, a mental illness or any other condition that limits an individual's ability to live independently in the community, providing housing for persons with disabilities is an ongoing need.

One-third of Montgomery County residents over the age of 65, more than 30,000 people, classified themselves in the 2000 census as having a disability of some kind. In addition, almost 65,000 adults (12%) between 21 and 64 years old also had a disability.

Considering the aging of Montgomery County's population, the demand for barrier-free, accessible and adaptable housing is likely to grow in the future. The problem is particularly acute for those living on fixed incomes and without the resources to pay for necessary adaptations to their housing units.

Montgomery County and the Maryland-National Capital Building Industry Association have developed a Voluntary Certification program, *Design for Life*, to promote visit-ability and live-ability in single-family attached and detached homes.

#### **Recommendations/Goals**

- Raise awareness of existing accessible housing options in the community among those with disabilities or those in need of accessible housing amenities through outreach by industry and advocacy groups in collaboration with public and private sector housing providers

- Promote awareness among the general public of the benefits for all of housing design features that enhance accessibility as is being done through the *Design for Life* program
- Promote professional and public awareness of the requirements of the Americans with Disabilities Act as related to disability housing through training and outreach provided by both public and private entities

## **5. Difficulty siting affordable housing, particularly special needs and group housing**

Community members often oppose the siting of additional housing in their neighborhoods, raising concerns about the adequacy of public facilities to support increased density. When the housing being proposed is for formerly homeless persons or others with special needs, community members raise additional concerns about public safety, property management and the provision of supportive services to those proposed to be housed.

### **Recommendations/Goals**

- Support interagency collaboration to ensure that persons with special needs (including those living in shelters for the homeless) receive both the housing and the supportive services necessary to be “good neighbors”
- Educate the public about the economic and social value of a wide range of housing choices for the community; provide factual information to increase public awareness of and understanding about special needs populations and to address community concerns about both general and project-specific impacts of the siting of affordable housing (for example, effects on property values, public safety, etc.)

## **6. Shortage of comprehensive testing and study information on the fair housing environment in Montgomery County**

While the County continues to conduct regular fair housing testing in the rental market and has commissioned studies on fair lending, there is an ongoing need for accurate data regarding the for sale market, including appraisals, insurance and advertising. Additionally, there is the need to ensure that all protected groups are represented in the testing performed.

## Recommendations/Goals

- Continue to conduct paired testing of the various protected groups regularly to identify both rental and for sale discrimination
- Continue to collect and make public detailed information on fair housing practices; study potential disparate treatment for protected groups related to home mortgage lending
- Take appropriate action to enforce fair housing laws and to address the findings identified through relevant studies and testing

## V. Conclusion

There are many public, private and non-profit groups in Montgomery County, Maryland that are continuing to work to affirmatively further fair housing choice in our community. The County's Office of Human Rights has a leadership role regarding fair housing activities, including testing and enforcement related to housing discrimination, convening the Interagency Fair Housing Coordinating Committee and providing fair housing education. The Department of Housing and Community Affairs is the lead County department for increasing the supply of affordable housing. The Office of Consumer Protection works to protect residents from predatory lenders and unlicensed home improvement contractors. The Department of Health and Human Services is working to address the rental assistance and other supportive services needs of our most vulnerable residents, including support for the Commission on Persons with Disabilities and the Commission on Aging. The Montgomery County Housing Opportunities Commission (HOC) and Rockville Housing Enterprises serve as the County's public housing authorities, and HOC is a primary developer and financier of affordable housing in the County.

Affirmatively furthering fair housing choice is also the responsibility of the private sector, including industry representatives in real estate, banking, insurance and mortgage lending; private, for-profit housing developers; area realtors; and employers. Additionally, the County partners with many private, nonprofit housing and supportive services providers. These groups work to preserve and increase the supply of affordable housing and, along with the faith-based community, advocate for the provision of affordable housing in our community.

There are also the many in our community, as individuals or as member of various groups, who support fair housing and work to address impediments to fair housing choice.

In conclusion, affirmatively furthering fair housing and addressing barriers to housing choice in Montgomery County requires the concerted efforts of all. We have accomplished a lot, but there is still more to do.

## VI. Attachments

- A. Montgomery County Interagency Fair Housing Coordinating Group Membership List, 2007
- B. Population Demographic Maps and Charts
- C. Unit 10.7 - The Public Policy Debate
- D. Impediment Analysis Progress Report, 2006

**Sources:** Interagency Fair Housing Coordinating Group

Montgomery County Department of Housing and Community Affairs (DHCA)

Montgomery County Department of Park and Planning, Research and Technology Center, Census 2000 & Census Updates

Montgomery County, Maryland Consolidated Plan for Housing and Community Development Executive Summary (July 1, 2006 to June 30, 2007)

Montgomery County Office of Human Rights (OHR )

Montgomery County's Housing Initiative Fund (HIF) Fiscal Year 05 Report

U.S. Bureau of the Census

Note: The U.S. Census Bureau does not collect information on religion in its demographic surveys or decennial census.